

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

COTTRELL L. BROADNAX, JR.,

Plaintiff,

v.

NEWSOM, *et al.*,

Defendants.

Case No. 1:25-cv-00797-BAM (PC)

**SECOND ORDER TO SUBMIT
COMPLETED APPLICATION TO PROCEED
IN FORMA PAUPERIS OR PAY FILING FEE
WITHIN 30 DAYS**

THIRTY (30) DAY DEADLINE

Plaintiff Cottrell L. Broadnax, Jr. ("Plaintiff") is a state prisoner proceeding *pro se* in this civil rights action under 42 U.S.C. § 1983. This case was initiated on May 28, 2025, in the United States District Court for the Northern District of California. (ECF No. 1.) The case was transferred to the Eastern District of California on June 30, 2025. (ECF No. 15.)

On July 3, 2025, the Court issued an order directing Plaintiff to submit a completed application to proceed in forma pauperis or pay the \$405.00 filing fee to proceed with this action. (ECF No. 18.) The Court expressly warned Plaintiff that failure to comply with the Court's order would result in dismissal of this action. (*Id.*) The deadline has expired, and Plaintiff has failed to comply with the Court's order to file an application to proceed *in forma pauperis* or pay the filing fee.

On August 12, 2025, Plaintiff submitted a notice that includes a CDCR Inmate Statement Report dated July 8, 2025. (ECF No. 20 at 6.) The report identifies a current available balance of

1 \$0.00 and various other obligation balances, e.g., restitution. (*Id.*) This notice does not provide
2 the necessary information for the Court to determine whether Plaintiff is entitled to proceed *in*
3 *forma pauperis* in this action. Plaintiff therefore will be granted a final opportunity to either pay
4 the \$405.00 filing fee for this action or submit a completed application to proceed *in forma*
5 *pauperis*.

6 Accordingly, IT IS HEREBY ORDERED that:

7 Within **thirty (30) days** of the date of service of this order, Plaintiff shall submit the
8 attached application to proceed *in forma pauperis*, completed and signed, with a certified copy of
9 his inmate trust account statement, or in the alternative, pay the \$405.00 filing fee for this action.

10 **No requests for an extension of time will be granted without a showing of good cause.**

11 **Failure to comply with this order will result in dismissal of this action.**

12
13 IT IS SO ORDERED.

14 Dated: August 13, 2025

15 /s/ Barbara A. McAuliffe
16 UNITED STATES MAGISTRATE JUDGE
17
18
19
20
21
22
23
24
25
26
27
28